

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

Clerk's Minutes

Before the Honorable Chief Judge William P. Johnson

Case No.: CR 18-2945 WJ

Date: April 3, 2019

Parties: USA v. Leveille et al.

Courtroom Clerk: R. Garcia

Court Reporter: M. Loughran

Interpreter: N/A

Type of Proceeding: Scheduling/Status Conference

Place of Court: Albuquerque

Total time in Court: 14 minutes

Evidentiary Hearing: No

Attorneys Present for Plaintiff(s):

Kimberly Brawley and George Kraehe

Attorneys Present for Defendant(s):

Kari Converse, Angelica Hall,
Marc Lowry, Amy Sirignano,
Ryan Villa, Billy Blackburn,
Theresa Duncan, Carey Bhalla,
Thomas Clark, Shammara Henderson

Proceedings:

2:03 Court in session; counsel enter appearances; Defendant's present.

The Court notes that, with the Government's filing of its Notice Not to Seek the Death Penalty, and the parties' stipulated scheduling order, the purpose of this hearing has been preempted by counsel. The Court notes it will sign off and file the parties' stipulated scheduling order and finds there will be no need to appoint learned counsel in light of the Government not seeking the death penalty.

The Court advises counsel it considers this a very important case; but, one of several; will address matters as quickly as it can in light of circumstances in this District and the heavy case load.

The Court asks if there is anything more from counsel.

Mr. Kraehe notes nothing more from the Government.

Mr. Lowry thanks the U.S. Marshal for their efforts during this period of Ramadan.

The Court notes it appreciates counsels' and marshals' efforts in working together.

Mr. Villa asks if the Government has an estimate of trial length at this time.

Mr. Kraehe estimates trial to last about 3 to 4 weeks at a minimum; comments on volume of discovery including some 16,000 pages of discovery; voluminous cell phone dumps along with other electronic evidence; notes discovery 85 to 90 % complete; advises the Government is still going through and reviewing electronic materials; mentions the Government is looking at 302 Reports and comments on the need for the Government to classify, then declassify, certain discovery materials; advises the Government is working as expeditiously to move matter along.

The Court mentions the use of the Russ Aoki firm for discovery matters in another complex case it has.

Mr. Villa notes the use of the Aoki firm is being discussed by defense counsel, but no decision has been made.

The Court notes the Aoki firm was very helpful in the other case before the Court.

Mr Kraehe advises that, although complex, this case is not as complex as some cases he has; believes this case to be manageable.

Ms. Henderson advises of potential witnesses who live outside the U.S. and that that international travel may be necessary.

Ms. Behalla notes the clients have been given tablets; advises to much data for current tablets to hold; working with IT people; will need external hard-drives, at a cost of about \$75 to \$150; will submit supplemental funding requests for hard-drives; will also be working with facility to amend order to allow hard-drives and activate ports on tablets.

Mr. Blackburn addresses the Court; believes the stipulated scheduling order helped resolve some issues that would have been addressed this afternoon.

2:17 Court in recess.